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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/196,689	11/20/1998	MANISH KULKARNI	36J.P159	9437

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EXAMINER

POKRZYWA, JOSEPH R

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 03/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/196,689

Applicant(s)

KULKARNI, MANISH

Examiner

Joseph R. Pokrzywa

Art Unit

2622

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 06 February 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 6 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☒ A Notice of Appeal was filed on 31 October 2002. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1-30.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☒ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). 14.
10. ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Advisory Action*

1. An appeal under 37 CFR 1.191 was filed in this application on 10/31/02. Appellant's brief was due on 12/31/02 in accordance with 37 CFR 1.192(a).

### *Response to Amendment*

2. The amendment filed 2/6/03 under 37 CFR 1.116 in reply to the final rejection has been considered but is not deemed to place the application in condition for allowance and will not be entered because:

- a. The proposed amendment is not deemed to place the application in better form for appeal by materially simplifying the issues for appeal.

### *Response to Arguments*

3. Applicant's arguments filed 2/6/03 have been fully considered but they are not persuasive.

4. In response to applicant's arguments regarding the rejection under 35 U.S.C.102(e) as being anticipated by Wan *et al.* (U.S. Patent Number 5,721,572, hereinafter Wan'572), of **claim 1**, which states on pages 16 and 17, that Wan'572 does not teach of generating a reverse model look-up table, as recited in the claims. The examiner disagrees with this statement. While applicant is correct in their assertions that Wan'572 teaches of generating gamut boundary descriptors, Wan'572 further describes that the generated gamut boundary descriptors are used to

generate a reverse model look-up table. As seen in Fig. 3, an ILUT 40 is derived using the gamut descriptor 38 and the forward LUT 36. Currently, claim 1 recites “[a] method for deriving a reverse model look-up table ..., the method comprising the following steps to determine an entry in the reverse model look-up table for a device independent target color...”. Thus the process that follows in the claim is used to determine a reverse model look-up table. This is exactly what Wan’572 is doing. Wan’572 does determine gamut descriptors, as argued by applicant, but then Wan’572 further states that the gamut descriptors are used to determine an entry in the reverse model look-up table for a device independent target color, as currently required by the claim. On page 18, applicant argues that cited portions of Wan’572 are seen to describe the tables and techniques used to generate gamut boundary descriptors, and not for the generation of a reverse model look-up table. The examiner agrees that the cited portions of Wan’572 do describe the development of gamut boundary descriptors, as argued by applicant. However, as read in column 4, lines 15 through 17, Wan states “[t]he inverse look-up table 40 is created using the look-up table 36 and a gamut descriptor 38 for the second device 24.” This section shows that the gamut descriptors are used *for generating the ILUT*. Wan’572 teaches that the derivation of an ILUT requires the derivation of a gamut descriptor first, thereby the derivation of gamut descriptors is needed as a “method for deriving a reverse model look-up table”, according to techniques used by Wan’572.

5. Further, applicant continues on pages 18 and 19, that none of the tables in the cited portions of Wan’572 teach of a forward model look-up table that is searched using a binary search to locate a cell of the forward model look-up table that contains the device independent target color. Wan’572 teaches of performing a binary search of the forward model look-up table

to locate a cell (unit vector) that contains the device independent color in column 6, lines 23 through 63, column 7, lines 18 through 23, and column 9, lines 9 through 16, wherein the forward model look-up table is first split into triangles, as read in column 7, lines 18 through 23. Next, the triangles split from the LUT are subsequently searched, as read in column 9, lines 9 through 16. With this, one of ordinary skill in the art can interpret Wan'572 as effectively using a binary search of the forward model look-up table to locate a cell, as required in the claim.

6. In response to applicant's arguments on page 20, which state that Wan'572 is not seen to teach or suggest interpolating entries at grid points of the forward model look-up table that define the cell located by the binary search of the forward model look-up table to obtain device dependent colors that correspond to the device independent target color. The examiner notes the current claim does not include the limitation particularly specifying that the cell is "located by the binary search of the forward model look-up table". Further, as read in column 8, lines 24 through 49, entries from the forward model look-up table (being the entries or boundary points obtained from the LUT) are interpolated at grid points that define the cell so as to obtain device dependent colors corresponding to the device independent target color.

7. Therefore, the rejection of *claim 1*, as well as *claims 3, 5-8, 10, 12-15, 17, 19-22, 24, and 26-30* for the same reasons discussed above, under 35 U.S.C. 102(e), being anticipated by Wan *et al.* (U.S. Patent Number 5,721,572), is maintained. Further, for the same reasons discussed above, the rejection of *claims 2, 9, 16, and 23*, under 35 U.S.C. 103(a), as being unpatentable over Wan *et al.* (U.S. Patent Number 5,721,572) in view of Spaulding *et al.* (U.S. Patent Number 5,553,199), and the rejection of *claims 4, 11, 18, and 25*, under 35 U.S.C. 103(a), as being

unpatentable over Wan *et al.* (U.S. Patent Number 5,721,572) in view of Wan *et al.* (U.S. Patent Number 5,625,378), are also maintained.

***Information Disclosure Statement***

8. The abandoned U.S. Applications that were mentioned in Wan'572, which were listed in the Information Disclosure Statement submitted on 2/6/03 by applicant, have been considered by the examiner (see the attached initialed and signed copy).

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

J.R.P.  
Joseph R. Pokrzywa  
Examiner  
Art Unit 2622

jrp  
February 25, 2003

*Maude Nguyen*  
**MAUDE NGUYEN**  
**PATENT EXAMINER**

Art 2622